KAREN P. HEWITT
United States Attorney
CHRISTOPHER B. LATHAM
Assistant U.S. Attorney
California State Bar No. 160515
Office of the U.S. Attorney
880 Front Street, Room 6293
San Diego, California 92101-8893
Telephone: (619) 557-7147

Attorneys for Defendant
United States of America

FILED
08 MAY 19 AM 10:00
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

ALVIN HENNINGTON, JR., Plaintiff, v. VA SAN DIEGO HEALTHCARE SYSTEM, Defendant.	Case No. '08 CV 0883 WQH AJB NOTICE OF REMOVAL OF A CIVIL ACTION

The United States of America, by and through the Department of Veterans Affairs ("VA") (named herein as "VA San Diego Healthcare System"), by its attorneys Karen P. Hewitt, United States Attorney, and Christopher B. Latham, Assistant U.S. Attorney, hereby respectfully notices the removal of the above-captioned civil action from the Superior Court of California, County of San Diego. Removal is noticed on the following grounds:

1. An agency of the United States, the VA is named as a defendant in the above-captioned case originally filed as Case No. 37-2008-00080190-CU-DF-CTL in the Superior Court of California, County of San Diego. The Summons and Complaint were served on the VA on April 18, 2008.

2. Removal of this case is appropriate under 28 U.S.C. sections 1441, 1442 and 1446 because an agency of the United States is a defendant in the action. Section 1442(a)(1) provides for removal in cases commenced in a state court against the United States, its agencies and officers.

//

ORIGINAL

Accordingly, this suit is properly subject to removal, without bond, under 28 U.S.C. section 1442(a)(1). This is so because the action to be removed is pending in a state court located within this judicial district.

3. As a further basis for removal, it also is anticipated that the United States may raise several defenses to the Complaint, including but not limited to, the following: (1) the United States' sovereign immunity as to certain claims; and (2) the failure of Plaintiff to exhaust his administrative remedies.

4. Copies of the Plaintiff's original Summons and Complaint served on the VA are attached as Exhibit 1 in compliance with the provisions of 28 U.S.C. section 1446(a).

WHEREFORE, this action now pending in the Superior Court of California, County of San Diego, is hereby properly removed therefrom to this Court.

Respectfully submitted,

Dated: May 19, 2008

KAREN P. HEWITT
United States Attorney

CHRISTOPHER B. LATHAM
Assistant U.S. Attorney
Attorneys for Defendant
United States of America

SUM-100

SUMMONS
(CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

08 MAR 18 PM 1:38

NOTICE TO DEFENDANT: V.A. San Diego Healthcare System
(AVISO AL DEMANDADO):

YOU ARE BEING SUED BY PLAINTIFF: ALvin Henington JR.
(LO ESTÁ DEMANDANDO EL DEMANDANTE):

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.courtinfo.ca.gov/selfhelp/espanol/), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.courtinfo.ca.gov/selfhelp/espanol/) o poniéndose en contacto con la corte o el colegio de abogados locales.

The name and address of the court is: 330 W. Broadway
(*El nombre y dirección de la corte es*): San Diego, Ca. 92101-3827

CASE NUMBER:
(Número del Caso): 37-2008-00080190-CU-DF-CTL

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
- ☑ HALL OF JUSTICE, 330 W. BROADWAY, SAN DIEGO, CA 92101-3827
- ☐ NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081-6643
- ☐ EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020-3941
- ☐ RAMONA BRANCH, 1428 MONTECITO RD., RAMONA, CA 92065-5200
- ☐ SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910-5649
- ☐ JUVENILE COURT, 2851 MEADOW LARK DR., SAN DIEGO, CA 92123-2792

The name, address, bar #, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: Alvin Henington JR.
(*El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es*):
5170 Clairmont Mesa BLVD Unit 4
San Diego, Ca. 92117-1465

CLERK OF THE SUPERIOR COURT

DATE: MAR 18 2008
(*Fecha*)

Clerk, by R. Vela, Deputy
(*Secretario*) (*Adjunto*)

(*For proof of service of this summons, use* Proof of Service of Summons *(form POS-010).*)
(*Para prueba de entrega de esta citatión use el formulario* Proof of Service of Summons, *(POS-010)*).

[SEAL]

RECEIVED
'08 APR 03 14:51
SAN DIEGO COUNTY SHERIFF CIVIL OFFICE

NOTICE TO THE PERSON SERVED: You are served
1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (*specify*):
3. ☐ on behalf of (*specify*):

under:
- ☐ CCP 416.10 (corporation)
- ☐ CCP 416.20 (defunct corporation)
- ☐ CCP 416.40 (association or partnership)
- ☐ CCP 416.60 (minor)
- ☐ CCP 416.70 (conservatee)
- ☐ CCP 416.90 (authorized person)
- ☐ other (*specify*):

4. ☐ by personal delivery on (*date*):

PLD-PI-001

ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name, State Bar number, and address)*:
ALvin Hennington JR.
5170 Clairmont mesa BLVD unit 4
San Diego, Ca. 92117-1465
TELEPHONE NO.: (858) 495-0695 FAX NO. *(Optional)*:
E-MAIL ADDRESS *(Optional)*:
ATTORNEY FOR *(Name)*: IN PROPER

FOR COURT USE ONLY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF
STREET ADDRESS: 330 W. Broadway
MAILING ADDRESS: 330 W. Broadway
CITY AND ZIP CODE: San Diego, ca. 92101-3827
BRANCH NAME: HALL of Justice/Central

PLAINTIFF: ALvin Hennington JR.
~~5170 Clairmont mesa BLVD unit 4~~ AH.

DEFENDANT: ~~See~~ AH.
V.A. San Diego Healthcare system

☑ DOES 1 TO 1

COMPLAINT—Personal Injury, Property Damage, Wrongful Death

☐ **AMENDED** *(Number)*:

Type *(check all that apply)*:

☐ MOTOR VEHICLE ☑ OTHER *(specify)*: Medical MalPractic (wrongful Imprisonment)

☐ Property Damage ☐ Wrongful Death

☑ Personal Injury ☐ Other Damages *(specify)*: conflict of Interest

Jurisdiction *(check all that apply)*:

☐ ACTION IS A LIMITED CIVIL CASE

Amount demanded ☐ does not exceed $10,000

☐ exceeds $10,000, but does not exceed $25,000

☑ ACTION IS AN UNLIMITED CIVIL CASE (exceeds $25,000)

☐ ACTION IS RECLASSIFIED by this amended complaint

☑ from limited to unlimited

☑ from unlimited to limited

CASE NUMBER:

37-2008-00080190-CU-DF-CTL

1. Plaintiff *(name or names)*: ALvin Hennington JR.
alleges causes of action against defendant *(name or names)*:

2. This pleading, including attachments and exhibits, consists of the following number of pages:

3. Each plaintiff named above is a competent adult
   a. ☐ except plaintiff *(name)*:
      (1) ☐ a corporation qualified to do business in California
      (2) ☐ an unincorporated entity *(describe)*:
      (3) ☐ a public entity *(describe)*:
      (4) ☐ a minor ☐ an adult
         (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
         (b) ☐ other *(specify)*:
      (5) ☐ other *(specify)*:
   b. ☐ except plaintiff *(name)*:
      (1) ☐ a corporation qualified to do business in California
      (2) ☐ an unincorporated entity *(describe)*:
      (3) ☐ a public entity *(describe)*:
      (4) ☐ a minor ☐ an adult
         (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
         (b) ☐ other *(specify)*:
      (5) ☐ other *(specify)*:

☐ Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

PLD-PI-001

SHORT TITLE: Alvin Hennington JR. VS V.A. San Diego Healthcare system	CASE NUMBER:

4. [ ] Plaintiff *(name):*
   is doing business under the fictitious name *(specify):*

   and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person
   a. [x] **except** defendant *(name):* V.A. San Diego Healthcare system
      (1) [ ] a business organization, form unknown
      (2) [ ] a corporation
      (3) [x] an unincorporated entity *(describe):* Veterans Health care Provider
      (4) [ ] a public entity *(describe):*
      (5) [ ] other *(specify):*

   b. [ ] **except** defendant *(name):*
      (1) [ ] a business organization, form unknown
      (2) [ ] a corporation
      (3) [ ] an unincorporated entity *(describe):*
      (4) [ ] a public entity *(describe):*
      (5) [ ] other *(specify):*

   c. [ ] **except** defendant *(name):*
      (1) [ ] a business organization, form unknown
      (2) [ ] a corporation
      (3) [ ] an unincorporated entity *(describe):*
      (4) [ ] a public entity *(describe):*
      (5) [ ] other *(specify):*

   d. [ ] **except** defendant *(name):*
      (1) [ ] a business organization, form unknown
      (2) [ ] a corporation
      (3) [ ] an unincorporated entity *(describe):*
      (4) [ ] a public entity *(describe):*
      (5) [ ] other *(specify):*

   [ ] Information about additional defendants who are not natural persons is contained in Attachment 5.

6. The true names of defendants sued as Does are unknown to plaintiff.
   a. [ ] Doe defendants *(specify Doe numbers):* ______________ were the agents or employees of other named defendants and acted within the scope of that agency or employment.
   b. [ ] Doe defendants *(specify Doe numbers):* ______________ are persons whose capacities are unknown to plaintiff.

7. [ ] Defendants who are joined under Code of Civil Procedure section 382 are *(names):*

8. This court is the proper court because
   a. [x] at least one defendant now resides in its jurisdictional area.
   b. [x] the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.
   c. [x] injury to person or damage to personal property occurred in its jurisdictional area.
   d. [x] other *(specify):* Conflict of Interest, Illegal confinement Bribery/Falsifying medical/Mental evaluation 2nd Floor of V.A.

9. [ ] Plaintiff is required to comply with a claims statute, and
   a. [x] has complied with applicable claims statutes, or
   b. [x] is excused from complying because *(specify):* Conflict of Interist

PLD-PI-001

SHORT TITLE: Alvin Hennington vs VA. Health care system	CASE NUMBER:

10. The following causes of action are attached and the statements above apply to each *(each complaint must have one or more causes of action attached)*:
    - a. ☐ Motor Vehicle
    - b. ☑ General Negligence
    - c. ☑ Intentional Tort
    - d. ☐ Products Liability
    - e. ☐ Premises Liability
    - f. ☑ Other *(specify)*: Conflict of Interist, False Arrest/Illeagal confinement

11. Plaintiff has suffered
    - a. ☐ wage loss
    - b. ☐ loss of use of property
    - c. ☐ hospital and medical expenses
    - d. ☑ general damage
    - e. ☐ property damage
    - f. ☐ loss of earning capacity
    - g. ☑ other damage *(specify)*: Perscribed Medication to Plaintiff under False Pretences/illeagal confinement in order to Blow cases case#s-37-2007-00082645-cu-NP-CTL, GIC873566 conflict of Interist/Falsifying medal reports [mental Health] Stress/slander, Harassment, Defamation.

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are
    - a. ☐ listed in Attachment 12.
    - b. ☐ as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.
    Yes

14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for
    - a. (1) ☑ compensatory damages
    - (2) ☑ punitive damages

    The amount of damages is *(in cases for personal injury or wrongful death, you must check (1))*:
    - (1) ☐ according to proof
    - (2) ☑ in the amount of: $175,000,000.00 One Hundred and Seventy-Five million Dollars

15. ☐ The paragraphs of this complaint alleged on information and belief are as follows *(specify paragraph numbers)*:

Date: 3-18-08

Alvin Hennington JR.
(TYPE OR PRINT NAME)

▶ Alvin Hennington Jr.
(SIGNATURE OF PLAINTIFF OR ATTORNEY)

MC-031

PLAINTIFF/PETITIONER: Alvin Hennington Jr.	CASE NUMBER:
DEFENDANT/RESPONDENT: San Diego Police Department	

DECLARATION

(This form must be attached to another form or court paper before it can be filed in court.)

[5150, False arrest, False charges]

Harrassed and Tortured me, at my Residence From 2 A.M. to 12 noon Jan. 21-08 Forms of torture Hypnosis, thought implantation, death threats telling me. I wish we would have killed your greedy ass. San Diego Police officers also stated we can tell you whatever we want Because no one will beleave you or Help you, They also decided to put a drug in my Food or drink known by the slang saltPeter, I beleaves that if they used one there must be others the extent of which I don't know I do know They Harress me for 4 hours on Jan. 4, 2008 then when I went up to their Residence to tell them to stop 4 patrolman showed up [illegible] And Arrested me.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

Alvin Hennington Jr.
(TYPE OR PRINT NAME)
In Proper

Alvin Hennington Jr
(SIGNATURE OF DECLARANT)

☐ Attorney for ☑ Plaintiff ☐ Petitioner ☐ Defendant
☐ Respondent ☐ Other (Specify):

[redacted]AH,

MC-031

PLAINTIFF/PETITIONER: Alvin Hennington Jr.	CASE NUMBER:
DEFENDANT/RESPONDENT: San Diego Police Department	

DECLARATION

(This form must be attached to another form or court paper before it can be filed in court.)

[5150, False arrest, False charges]

Harrassed and Tortured me, at my Residence From 2 A.M. to 12 noon Jan. 21-08 Forms of torture Hypnosis, thought implantation, death threats telling me. I wish we would have killed your greedy ass, San Diego Police officers also stated we can tell you whatever we want Because no one will beleave you or Help you, They also decided to put a drug in my Food or drink known by the slang saltPeter, I beleave that if they used one there must be others the extent of which I don't know I do know They Harress me for 4 hours on Jan. 4, 2008 then when I went up to their Residence to tell them to stop 4 Patrolman showed up [redacted] And Arrested me.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

Alvin Hennington Jr.
(TYPE OR PRINT NAME)

In Proper

[redacted] Apt.

Alvin Hennington Jr
(SIGNATURE OF DECLARANT)

☐ Attorney for ☑ Plaintiff ☐ Petitioner ☐ Defendant
☐ Respondent ☐ Other *(Specify)*:

The Reason I beleave the Residents of 5170 Clairmont mesa are Federal is because, on the Night of Jan. 3, 2008 the Police officers that Falsely arrested me, refused to go upstairs to #21 or #9 to check my story. I asked why, the arresting Officers told me they were Federal agents and they had no ~~Jurisdic~~ A.H. Jurisdiction over them, at first I thought it was a lie, But ~~at~~ A.H. a Federal agent at the F.B.I. Sandiego Field office confirmed it, as well as the Federal Security officers at the 880 Front street

(2)

San Diego Ca. 92101.
Let the record show all of the defendants were in conflict of Interist the day any of them launched an Investigation against me, The Plaintiff, The day the defendants moved in to my complex, They were in Violation of conflict of Interist charges, Let alone the ~~Att. assaults~~ assaults both Physical and sexual, The False arrest, false charges, breaking and entering, theft of court papers, invasion of privacy, entrappment, bribery of county mental Health

profesionals and Briberyof V.A. SanDiego Healthcare Facilaty staff onthe second Floor. As stated in previous papers and cases Against defendants, The Reason for the rape and All other Violations against the plaintiff were done in an attempt to Blow or discredit Plaintiffs civil cases and to terrorize Plaintiff into All dropping cases and the Feds Helping Sandiego Police Department and the Rest of the defendants save a Lot of money, The Sad Part is I was going to the F.B.I. Field office for help. That is one thing I feel very stupid for doing.

(4)

Let the Record show the Defendants are in Violation of conflict of Interist charges the day the Defendants had any contact with the Plaintiff or any member of Plaintiffs family and any Bribe or gifts Given to any member of Plaintiffs Family or Friends, Healthcare Provider, The Blocking or Rerouting of Phone calls, Postal mail and Parcell Delivery and any Information gained is tainted Any drugs used on plaintiff, ALL threats to harm and crimes comitted against Plaintiff, ALL threats to harm Plaintiff. The use of Hipnosis, pscicology, thought Inplantation and Terrorism against Plaintiff. Loss of sleep, Loss of Apitite, the Blocking and Interference of gainful employment, Slander of Plaintiff, interference in Plaintiffs sexlife in order to Intrapp and make False charges Look real/Slander Look

Real, the trading of Favors between Defendants ~~Plaintiffs~~ and other entitys not listed in case in order to EntrApp, Harrass and Violate Plaintiffs civil rights and Harm plaintiff Atty. ~~[illegible]~~ criminally is a Violation of, conflict of Interest charges in ALL cases Listed under the Name Alvin Hennington JR. in San Diego Atty ~~[illegible]~~ superior court.

~~I do know Personel with this level of training pr.~~

SHORT TITLE: Alvin Hennington JR VS. ~~Federal Bureau~~ Investigation ~~San Diego Field office~~ | case number 37-2008-00080190-CU-DF-CTL

Americans with Disabillities act. of 1990 (ADA) Short title, see 42 USCa §12101 note Pub.L. 101-336, July 26, 1990, 104 stat. 327 (29 §706; 42 § §12101, 12101 Note, 12102, 12111, 12111, note, 12112 ~~to~~ 12117, 12131, Note, 12132 ~~to~~ 12134, 12141, 12141 note, 12142 ~~to~~ 12150, 12161, 12161 Note, 12162 ~~to~~ 12165, 12181, 12181 note, 12182 ~~to~~ 12189, 12201 ~~to~~ 12213; 47 § §152, 221, 225, 611) Pub.L. 102-166, title I §109(a), (b)(2), Title III §315, Nov. 21, 1991, 105 stat 1077 ADults with Disabilties 29 §701 NT, Eon 13078 13172 Privacy Protection cival liberties Protection officer, 50 §403-3d. Privacy Protection act of 1980 42 USCa §2000aa Note Pub.L. CH. 96-440, oct. 13, 1980, 94 Stat. 1879 (42 §2000aa, 2000aa-5 ~~to~~ 2000aa-7, 2000 aa 11, 2000 aa 12) Pub.L. 104-208, Div. A, Title and 101(a) Title I, §121 subsection 6] sept. 30, 1996, 110 Stat 3009-30 [42 §2000aa] Postal Service [Title 39] Pub.L. 86-682 §1, Sept. 2, 1960, 74 stat. 578, as Revised and Reenacted by Pub.L. 91-375, §2, Aug. 12, 1970, 84 stat. 719 (39 and 101 etseq.] Process, interception of wire, oral or electronic comunications 50 and 1806 Racial ProFiling Highways and roads, Law enForcement, Prohibiting, Grants 23 §402 nt. (18 §245]

HAte CRIME

(Required for verified pleading) The items on this page stated on information and belief are (specify item numbers, not line numbers): 7

This page may be used with any Judicial Council form or any other paper filed with the court. Page 1

Handicaped Persons 42 §1810 et seq. Unjust Inprisonment, Damages 28 §1495 consprircasy 18 ussG §2x1, Drugs and Medicine 18 § 3583 Medical malpractice, veterans 38 §501 §42 §11115, Civil Rights 28 §1343 Health service Centers 42 §300x ET Seq. Disabled American Veterans act. June 17, 1932 ch 268 47 stat. 320 [See §50301 to 50308] Dec. 18, 1967, Pub. L. 90-208, §1, 81 stat. 655 [36 §901] Aug. 12, 1998 Pub. L. 105-225, §6[B] 112 stat. 1506 [36 §90a to 90k] Mental Health services 42 § §290aa eT Seq. 300x eT Seq. Fraud 42 §300x-56 Bribery Falsifying medical reports perscribing medication that I did not need, Holding me against my will, I Request Dr. Susan Mun and Dr. Leiman on the second Floor and the entire staff of The Second Floor Be investigated on All charges. This entire Thing started in 2002 when Law enforcement officers started to Follow, intimidate and Harrass me the V.A. Medical center in La jollia to Bribe From the Defendant in my civil cases, In order to discredit me and Blow my cases

Conflict of Interist

Malicious Prosecution: Tort claims act exception, Claim arising 28 §2680 Malisious Mischief Generally 18 §1361 eT seq. Conspriracy 18 §§1362, 1363 § 3050 Civil Rights conspriracy 42 §1985 ets eq Definition 18 §248: Bank Fraud, Continuing Financial crimes, Enterprise 18 §225 AGents and AGencies, officers and Employees of Government 18 §§205, 216 Bribery and corruption 18 §201 Federal AGencies 44 §3549 Judges of Justices Disqualification 28 §455 Definitions 18 §§202, 207 united states citizens Loyalty 22 §287 nt, Eo n 10422 - Information 15 §1330b 19 §126 eT. Seq → customs Duties Generally Definitions 19 §1401 Investigations 19 §1677m Johnson ACT Debt Default act [Debt Default ACT] April 13, 1934, ch 112, 48 stat. 574 [See 18 § 955] July 31, 1945 ch. 339, § 9, 59 stat. 516 [redacted] AH [31 § 804b] 42 [redacted] AH Recovery 18 §218 Legal services 42 § 2996b Acounting and oversight board 15 §§ 78J-1721 et seq. 42 §264 United states court of Appeals for the Federal circuit 18 §§204, 216

Conflict of Interist

ALso to Answer the claim and of Rumor About H.I.V. I had myself tested at the V.A. San Diego Healthcare system twice in [redacted] AH 2007 to be safe, I have not had sex volentary in seven months, exept when I was Raped Jan. 29-08 Approximate Date

Proof that all charges wer Fake is I was only Perscribed IBuproProfen 600mg. For pain, Fluaisolide 25mcg, 200D Nasal inH. Spray for sinusitis, HydrochLorothiazide 25mg tablet one Half a tablet by mouth for Hypertension and Chorphenivamine Maleate 4mg Tab twice a day for Allergies, None of which will cause a psicotic Episode None of these medications are used for mental Illness.

State of California - Health and Human Services Agency — Department of Mental Health

INVOLUNTARY PATIENT ADVISEMENT (TO BE READ AND GIVEN TO THE PATIENT AT TIME OF ADMISSION)
MH 303 E/S (Rev. 08/04)

Confidential Patient Information
See W&I Code Section 5328 and
HIPPAA Privacy Rule 45 C.F.R. Section 164.508

Name of Facility: SDCPH

Patient's Name: Alvin Hennington — Admission Date: 1/4/08

Section 5175 (c) and (d) of the Welfare and Institutions Code requires that each person admitted for 72 hours evaluation be given specific information orally and in writing, and a record of the advisement be kept in the patient's medical records

My name is Delma My Position here is LVN

You are being placed in this psychiatric facility because it is the opinion of the professional staff, that as a result of a mental disorder, you are: (check applicable)

☐ Dangerous to yourself ☒ Dangerous to others ☒ Gravely Disabled(unable to provide for your own food clothing or shelter

(Document specific evidence which substantiates reason for hold):

We feel this is true because You were banging on your neighbors Door, You havent been taking your Meds, You are hearing voices You Are Diagnosed with clinical Depression

You will be held for a period of up to 72 hours. This (does not) (does) include weekends or holidays.

Your 72-hour period will begin: 0615 1/4/08 (Time and Date)

Your 72-hour evaluation and treatment period will end at: 0615 1/7/08 (Time and Date)

During these 72 hours you will be evaluated by the hospital staff, and the treatment you receive may include medications. It is possible for you to be released before the end of the 72 hours, but if the professional staff decide that you need continued treatment, you can be held for a longer period of time. If you are held longer than 72 hours, you have the right to a lawyer and a qualified interpreter and a hearing before a judge. If you are unable to pay for the lawyer, then one will be provided free.

State law presumes you to be competent regardless of whether you have been evaluated or treated for mental disorder as a voluntary or involuntary patient.

Good cause for Incomplete Advisement		Date
Advisement Completed by	**Position**	**Date**
N Hix	LVN	1/4/08

CC: Original to the Patient
Carbon to the Patient's Record

TOTAL P.15

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

CASE NUMBER: 37-2008-00080190-CU-DF-CTL CASE TITLE: HENNINGTON vs. VA San Diego Healthcare System

NOTICE TO LITIGANTS/ADR INFORMATION PACKAGE

You are required to serve a copy of this Notice to Litigants/ADR Information Package and a copy of the blank Stipulation to Alternative Dispute Resolution Process (received from the Civil Business Office at the time of filing) with a copy of the Summons and Complaint on all defendants in accordance with San Diego Superior Court Rule 2.1.5, Division II and CRC Rule 201.9.

ADR POLICY

It is the policy of the San Diego Superior Court to strongly support the use of Alternative Dispute Resolution ("ADR") in all general civil cases. The court has long recognized the value of early case management intervention and the use of alternative dispute resolution options for amenable and eligible cases. The use of ADR will be discussed at all Case Management Conferences. It is the court's expectation that litigants will utilize some form of ADR – i.e. the court's mediation or arbitration programs or other available private ADR options as a mechanism for case settlement before trial.

ADR OPTIONS

1) CIVIL MEDIATION PROGRAM: The San Diego Superior Court Civil Mediation Program is designed to assist parties with the early resolution of their dispute. All general civil independent calendar cases, including construction defect, complex and eminent domain cases are eligible to participant in the program. Limited civil collection cases are not eligible at this time. San Diego Superior Court Local Rule 2.31, Division II addresses this program specifically. Mediation is a non-binding process in which a trained mediator 1) facilitates communication between disputants, and 2) assists parties in reaching a mutually acceptable resolution of all or part of their dispute. In this process, the mediator carefully explores not only the relevant evidence and law, but also the parties' underlying interests, needs and priorities. The mediator is not the decision-maker and will not resolve the dispute – the parties do. Mediation is a flexible, informal and confidential process that is less stressful than a formalized trial. It can also save time and money, allow for greater client participation and allow for more flexibility in creating a resolution.

Assignment to Mediation, Cost and Timelines: Parties may stipulate to mediation at any time up to the CMC or may stipulate to mediation at the CMC. Mediator fees and expenses are split equally by the parties, unless otherwise agreed. Mediators on the court's approved panel have agreed to the court's payment schedule for county-referred mediation: $150.00 per hour for each of the first two hours and their individual rate per hour thereafter. Parties may select any mediator, however, the court maintains a panel of court-approved mediators who have satisfied panel requirements and who must adhere to ethical standards. All court-approved mediator fees and other policies are listed in the Mediator Directory at each court location to assist parties with selection. **Discovery:** Parties do not need to conduct full discovery in the case before mediation is considered, utilized or referred. **Attendance at Mediation:** Trial counsel, parties and all persons with full authority to settle the case must personally attend the mediation, unless excused by the court for good cause.

2) JUDICIAL ARBITRATION: Judicial Arbitration is a binding or non-binding process where an arbitrator applies the law to the facts of the case and issues an award. The goal of judicial arbitration is to provide parties with an adjudication that is earlier, faster, less formal and less expensive than trial. The arbitrator's award may either become the judgment in the case if all parties accept or if no trial de novo is requested within the required time. Either party may reject the award and request a trial de novo before the assigned judge if the arbitration was non-binding. If a trial de novo is requested, the trial will usually be scheduled within a year of the filing date.

Assignment to Arbitration, Cost and Timelines: Parties may stipulate to binding or non-binding judicial arbitration or the judge may order the matter to arbitration at the case management conference, held approximately 150 days after filing, if a case is valued at under $50,000 and is "at issue". The court maintains a panel of approved judicial arbitrators who have practiced law for a minimum of five years and who have a certain amount of trial and/or arbitration experience. In addition, if parties select an arbitrator from the court's panel, the court will pay the arbitrator's fees. Superior Court

Declaration

Superior court of California
Hall of Justice
330 West Broadway
San Diego, Ca. 92101-3827

Case # 37-2008-00080190-CU-DF-CTL

Charges Related ~~to~~ case AND Related cases: Conflict of Interist, Entrapment, Malicious Prosecution Falsifying medical Dianosis [mental Health] Reports ect. Malpractice, Scare tactics and Emaslilation case # G-I-C 873566 [redacted] AH. 37-2007-00082645-CU-NP-CTL, 37-2008-00076202 -CU-CR-CTL, 37-2008-0007920-CU-DF-CTL These case ARe The Reason for all charges and offences against Plaintiff: Alvin Hennington SR. All charges

(1)

The defendants threaten & to frame me or set me up: members of the San Diego Field office of The U.S. Customs ~~F.B.I.~~ JAH and San Diego Police Department members were working together to ~~entrapp~~ me and commit crimes against me This has been going on since Jan. 1, 1992 ~~2000~~. I don't know if it goes back further or not. I do know that in 2002 members of law enforcement were following me and Harrassing me. I also know That members of the San Diego county V.A. Medical center on the 2nd Floor in La Jolla. Their Proper Name is V.A. San Diego Healthcare System. ADDress 3350 La Jolla Village Drive San Diego, ca. 92161. The staff of the second Floor. Took Bribes From the Defendants in order

convince me that I was crazy
and none of this Happened.
The Truth was, I was Illeagaly
Held against my will At V.A. San Diego
Health care system on the second floor
in 2002. Which is a Volentary healthcare
Facility, which means they had no
right ~~to~~ do so. The staff forced
me ~~to~~ take psciciatric medicine
by lying to me and Telling me
if I didn't ~~take~~ take ~~the~~ medicine
and agree that it was a delusion. I would
not be released. In oct. 2006 I Filed
a civil suite against San Diego Harbor
Police, The Port of San Diego, San Diego
Regional Airport Authority and Department
of Homeland security, The Defendants
were found guilty of Harrassment.

(3) (3)

Since Then My mother took a bribe, I think By Force or Fear of her own Life or thru the use of Lies by Defendants, I hope this is the case but I can only speculate on whether It was Forced or Volentary. I recently Found out the party that Deployed pscic Agents was in FacT U.S. Customs, I was informed of this by people who wish to Remain naneLess, what I do know is They have the Power to do anything they want to me and make it Look Like an accident or coincidence or Like I did of my own Free will this scares me very Badly. I know the statements I make about hipnosis, Thought implantion and subliminal sugestion sound ~~All strange~~ strange to say the Least.

what I know is The Federal Government Banned subliminal sugestion in AOvertising. why would the Federal government ban something that didnot work? why are so many doctors investigated by Law enforcement for Rape and molestation charges and Found Guilty if it were not true? The Fact is there would not be so many if it were not Factual and True. The Fact is they can make you do anything they want, AND Make it Appear to be free will or make you Look crazy or delusional For saying they did. They have my life in their hands, And have theatened [illegible] in my suite.

(5)

This Frightens me very badly Bacause I Love life and dont want to die and I dont want any harm to come to my Family or ~~Friends~~ All Friends. All This yet another Ploy to scare me into dropping my case P.S. I also Found out the Defendants have been in contact with my Financial institution - U.S.E Credit Union 10120 Pacific Heights Boulevard San Diego, Ca. 92121, The Reason was to make my account over drawn on Purpose for several months in order to prevent me From dealing with my cases and to put me in financial Trouble

(6)

Against Plaintiff including mental Health Issues are Fabricated in order ~~to~~ Harm Plaintiff, discredit Plaintiff ~~to~~ get all cases against Defendants dropped or thrown out, which are all Direct Violations of conflict of Interist charges and Defamation charges Proven by the Fact cases GIC 873566 and 37-2007-00082645-CU-NP-CTL which are Both in Default if any charges were not true why didnt any defendants answer charges in Appropriate time: ~~and why~~ and why did any Defendants move into my complex or have any contact with Family, Friends or Plaintiff.

trouble in my personal life and to give Them something to prosecute me for, so they can either force me to drop my suiter and cover-up my Rape charges against defendants. This is the only thing that makes sense to me considering the circumstances, Also the fact the Defendants have gotten me fired from my previous Job and are in contact with my current job - Sulivans moving and storage, ALL of which are conflict of Interist

I have since Found out from San Diego Police and The San Diego Field office of The F.B.I. that the Residence of 5170 Clairmont Mesa BLVD #21, 9 and 5 are Federal agents. Because I went to 9797 Arrow Drive to complain about them claiming to be Police one day and after the Rape claiming they were Feds. The Fact is an Agent that I spoke to at 8 A.M. on Jan. 08 more than two weeks before It happened, knew about the crimes. The Sad part is, I didn't beleave San Diego Police or Federal agents were capable of Rape or Murder in order to win a civil suite, I was wrong, I know from what the defendants told me and what I already knew, that it's imposable to hipnotize some one who does not want to be, or at Least that's what I've Read. But I also know that statement involves a ~~[illegible]~~ an consious person, If you are asleep the statement does not apply [via Microphone or camera or both] which means you are defenceless against mental Attack and you are at their mercy, The Hipnotist/psciciatrist can do what ever they want or make you do what ever they want, If you think of the criminal cases involving Doctor and Therapist taking ~~Att~~ atvantage of patiants under Hipnosis, what's to prevent them from making you harm yourself or alowing them to harm you, ALL I know is they have a Lot to gain by nobody beleaving in me, or me not being in the ~~Att~~ picture, I know the only reason they told me about the rape of me was to make me attack them, beat them up or harm them, so they could have assault charges on me, which would help the False Mental HEAlth charges and get all of my civil cases thrown out. Hipnosis could also be used to take the money from the lawsuites from me after I win, ~~Att~~ via Death or Identity theft if they are willing to rape me ~~to~~ prevent me from winning, what makes anyone think they would not kill me to get the money back or make look insane or Drive me insane ~~to~~ further their own goals or Look like a lyer, ~~to~~ get the charges dismissed, The answer should be nothing could make you think its not possible. Please Look up my NAME in SanDiego Superior court civil Division you'll Find the Defendants Have Millions of motives to harm me or make me Look bad. I don't know and Never will know how far the corruption goes, How many cops, How many Feds or did all the Defendants in my civil cases pay for the crimes or Just knew and didn't do anything to stop them or Helped the guilty parties commit the acts against me, Because it was in their Benefit or Favor that this happen? Also when you are Asleep and you are being tortured [via Dreams, Hipnosis or Physical or Sexual, It will still cause Pscicological Damage. Even if you don't Remember.

Conflict of Interist

Malicious Prosecution; Tort claims act, exception, Claim arising 28 §2680 Malisious Mischief Generally 18 §1361 et seq. Consprisracy 18 §§1362, 1363 § 3050 Civil Rights conspiracy 42 §1985 et seq 18 §248: Bank Fraud, Continuing Financial crimes, Definition Enterprise 18 §225 Agents and Agencies, officers and Employees of Government 18 §§205, 216 Bribery and corruption 18 §201 Federal Agencies 44 §3549 Judges of Justices Disqualification 28 §455 Definitions 18 §§202, 207 united states citizens Loyalty 22 §287 nt, Eo n 10422 - Information 15 §1330b 19 §126 et. seq → customs Duties Generally Definitions 19 §1401 Investigations 19 §1677m Johnson Act Debt Default act [Debt Default act] April 13, 1934, ch 112, 48 stat. 574 [see 18 § 955] July 31, 1945 ch. 339, § 9, 59 stat. 516 [redacted] AH 31 § 804b 42 [redacted] AH Recovery 18 § 218 Legal services 42 § 2996b Acounting and oversight board 15 §§ 78J - 1721 et seq 42 § 264 United states court of Appeals for the Federal circuit 18 §§ 204, 216

Conflict of Interist

ALso to Answer the claim and of Rumor About H.I.V. I had myself tested at the V.A. San Diego Healthcare system twice in [redacted] AH 2007 to be safe, I have not had sex volentary in seven months, exept when I was Raped Jan. 29-08 Approximate Date

Conflict of Interist:
18§248§2680

12

Let the record show, The Defendants Are up to new ways to Entrapp and Malisiously Prosecute and Violate Confict of Interist Laws 28§2680, 18§1361 ET seq. 18§205, 216, 44§3549, 19§1677m ect. The Defendants latest trick or Violation is to make a situation look real that isnt, I don't know the ~~extent~~ of all their tricks or how many are involved [conspiracy M. 18§§202, 207 18§1362, 1363 §3050] But I do know they all have something to gain And I don't realy Beleave in chance or bad luck especially [redacted] Since all of this started the second I Filed the Rape charges against the Defendants for Either commiting the crime, Refusing to prosecute, Refusing to investigate or [Conspiracy 18] helping to commit crimes or simply having ~~knoledg~~ All knoledge of the crimes commited against me and doing Nothing to stop it or arrest all who paticipated in the crime against me. What they have been doing is having people Agents or officers posted on the street usually Male or Elderly and sometimes kids, who are either paid off or Already work for defendants in what capacity I don't know, what I do know is if you are walking and someone starts walking

13

in step with you very close to you, which is an invasion of Privacy and Personal space. If someone takes a picture it will apear like you are together even though you are not. The other one that I noticed, I don't know how many their are, Is for me be standing Either in line or at a crosswalk and accidently on purpose around or walk and pretend like they were not looking and stop About 6 10 inches from my Face or ask me a question they Already know the answer to. If someone were take a pikture it would look like we were together or kissing which is not, or they will have kids Run into you on purpose, All I know is All of this Looks Like Entrappment and conFlict of Interist Law Violation 18 §248 §§205, 216 §201, 202, 207 and is clearly slander,

Harrassment and Defamation

I know if this is Just Att. used scare me Try protect the Defendants who are guilty of criminal charges, I Request The Director of Homeland Security Washington D.C. Pensulvania ave investigate or order The Ivestigation of ALL agencies connected ~~to~~ these cases AND I also Request ~~the~~ Hipnosis and Nightly torture and Harrassment to stop. Please Foward ~~to~~ The Director of the Interior AND The U.S. Attorney General For Reveiw and Inquiry ~~into~~ matter ~~at~~ hand.

JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

FILED

08 MAY 19 AM 9:59

CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

BY DEPUTY

I. (a) PLAINTIFFS
ALVIN HENNINGTON, JR.

(b) County of Residence of First Listed Plaintiff San Diego
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)
N/A - Pro se
5170 Clairemont Mesa Blvd., Unit 4
San Diego, CA 92117

DEFENDANTS
VA SAN DIEGO HEALTHCARE SYSTEM

County of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys(If Known)
Christopher B. Latham
Assistant United States Attorney
880 Front St., Rm. 6293
San Diego, CA 92101

'08 CV 0883 WQH AJB

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

1	U.S. Government Plaintiff	3	Federal Question (U.S. Government Not a Party)
X 2	U.S. Government Defendant	4	Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant) (For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	1	1	Incorporated *or* Principal Place of Business In This State	4	4
Citizen of Another State	2	2	Incorporated *and* Principal Place of Business In Another State	5	5
Citizen or Subject of a Foreign Country	3	3	Foreign Nation	6	6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT
- 110 Insurance
- 120 Marine
- 130 Miller Act
- 140 Negotiable Instrument
- 150 Recovery of Overpayment & Enforcement of Judgment
- 151 Medicare Act
- 152 Recovery of Defaulted Student Loans (Excl. Veterans)
- 153 Recovery of Overpayment of Veteran's Benefits
- 160 Stockholders' Suits
- 190 Other Contract
- 195 Contract Product Liability
- 196 Franchise

REAL PROPERTY
- 210 Land Condemnation
- 220 Foreclosure
- 230 Rent Lease & Ejectment
- 240 Torts to Land
- 245 Tort Product Liability
- 290 All Other Real Property

TORTS

PERSONAL INJURY
- 310 Airplane
- 315 Airplane Product Liability
- X 320 Assault, Libel & Slander
- 330 Federal Employers' Liability
- 340 Marine
- 345 Marine Product Liability
- 350 Motor Vehicle
- 355 Motor Vehicle Product Liability
- 360 Other Personal Injury

PERSONAL INJURY
- 362 Personal Injury - Med. Malpractice
- 365 Personal Injury - Product Liability
- 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- 370 Other Fraud
- 371 Truth in Lending
- 380 Other Personal Property Damage
- 385 Property Damage Product Liability

CIVIL RIGHTS
- 441 Voting
- 442 Employment
- 443 Housing/ Accommodations
- 444 Welfare
- 445 Amer. w/Disabilities - Employment
- 446 Amer. w/Disabilities - Other
- 440 Other Civil Rights

PRISONER PETITIONS
- 510 Motions to Vacate Sentence
- **Habeas Corpus:**
- 530 General
- 535 Death Penalty
- 540 Mandamus & Other
- 550 Civil Rights
- 555 Prison Condition

FORFEITURE/PENALTY
- 610 Agriculture
- 620 Other Food & Drug
- 625 Drug Related Seizure of Property 21 USC 881
- 630 Liquor Laws
- 640 R.R. & Truck
- 650 Airline Regs.
- 660 Occupational Safety/Health
- 690 Other

LABOR
- 710 Fair Labor Standards Act
- 720 Labor/Mgmt. Relations
- 730 Labor/Mgmt.Reporting & Disclosure Act
- 740 Railway Labor Act
- 790 Other Labor Litigation
- 791 Empl. Ret. Inc. Security Act

BANKRUPTCY
- 422 Appeal 28 USC 158
- 423 Withdrawal 28 USC 157

PROPERTY RIGHTS
- 820 Copyrights
- 830 Patent
- 840 Trademark

SOCIAL SECURITY
- 861 HIA (1395ff)
- 862 Black Lung (923)
- 863 DIWC/DIWW (405(g))
- 864 SSID Title XVI
- 865 RSI (405(g))

FEDERAL TAX SUITS
- 870 Taxes (U.S. Plaintiff or Defendant)
- 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
- 400 State Reapportionment
- 410 Antitrust
- 430 Banks and Banking
- 450 Commerce
- 460 Deportation
- 470 Racketeer Influenced and Corrupt Organizations
- 480 Consumer Credit
- 490 Cable/Sat TV
- 810 Selective Service
- 850 Securities/Commodities/ Exchange
- 875 Customer Challenge 12 USC 3410
- 890 Other Statutory Actions
- 891 Agricultural Acts
- 892 Economic Stabilization Act
- 893 Environmental Matters
- 894 Energy Allocation Act
- 895 Freedom of Information Act
- 900Appeal of Fee Determination Under Equal Access to Justice
- 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

1 Original Proceeding; [X] 2 Removed from State Court; 3 Remanded from Appellate Court; 4 Reinstated or Reopened; 5 Transferred from another district (specify); 6 Multidistrict Litigation; 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (**Do not cite jurisdictional statutes unless diversity**):
28 U.S.C. 1442 and 1446

Brief description of cause:
Personal injuries from slander, harassment, defamation and racial profiling

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND $ 175,000,000

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes [X] No

VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE Hon. John A. Houston DOCKET NUMBER 08cv0221 JAH (LSP)

DATE 5/19/08

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # ______ AMOUNT ______ APPLYING IFP ______ JUDGE ______ MAG. JUDGE ______